

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m., Wednesday, January 6, 1982 in the City Hall Council Chambers.

Also Present: City Manager Glaves, Assistant  
City Manager Glenn, Public Works  
Director Ronsko, Community Develop-  
ment Director Schroeder, City  
Attorney Stein, and City Clerk  
Reimche

PRESENTATION Following a presentation by Lee Andre, Crime Awareness and Prevention Commissioner, San Joaquin County and discussion, Council, on motion of Councilman Katnich, Murphy second, supported the application of the County of San Joaquin and the City of Stockton for an allocation of funds under the California Community Crime Resistance Program.

Absent: Councilmen - None

The matter was introduced by Community Development Director Schroeder who presented diagrams of the subject matter.

Mr. Ted Katzakian, 330 S. Fairmont Avenue, Lodi, speaking on behalf of Genie Development Company and Guarantee Savings and Loan Company spoke in favor of the subject recommendations.

There were no other persons in the audience wishing to speak on the matter, and the public portion of the hearing was closed.

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AMEND P-D TO PERMIT  
DUPLEXES ON CORNER  
LOTS IN BECKMAN  
RANCH SUBDIVISION  
UNITS IV AND V  
(cont'd)

Mayor Pro Tempore Murphy then moved for introduction of Ordinance No. 1248, Ordinance amending P-D (15) Planned Development District No. 15 to permit duplexes on corner lots in Beckman Ranch Subdivision, Units IV and V. The motion was seconded by Councilman Katnich and carried by unanimous vote.

STOCKTON STREET  
IMPROVEMENT  
PROJECT, KETTLE-  
MAN LANE TO LODI  
AVENUE

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor McCarty called for the Public Hearing to consider the Stockton Street Improvement Project, Kettleman Lane to Lodi Avenue.

The matter was introduced by Staff, who presented a history of the project development, project and alternates, estimates and construction schedules.

An environmental assessment was presented by consultant, CH<sub>2</sub> M Hill representative Al Speers. Mr. Speers outlined the existing setting, historical property survey, and environmental impacts.

The right-of-way acquisition process and the relocation process was outlined by Cal-Trans representative Cherie Sivell of its Planning and Local Assistance Section.

Diagrams of the subject area were presented and Staff and the representatives of Cal Trans and CH<sub>2</sub> M Hill responded to questions as were directed by Council.

The following persons presented testimony on the matter:

- a) Steve Culbertson, 1237 S. Stockton St. Lodi.
- b) Gerhard Meinecke, owner of property at 1240, 1241, and 1244 S. Stockton St. Lodi.
- c) Gene Yarborough, 8404 E. Orchard Rd. Lodi.
- d) Wayne Koeplin, 1226 S. Stockton St. Lodi.
- e) Beckie Field, 512 S. Stockton St., Lodi, speaking on behalf of her grandmother.
- f) Dale Drege, 323 S. Stockton St., Lodi.
- g) Patty Allen, 422 S. Stockton, St., Lodi.
- h) Debbie Scallorn, 1131 S. Stockton St., Lodi.
- i) Jeff Pell, 425 E. Vine St., Lodi.
- j) Wayne Trevino General Manager, Pacific Coast Producers.
- k) Betty Gray, 208 Tokay St., Lodi.

The full proceedings of this public hearing were recorded by a qualified reporter and a full transcript of these proceedings are on file in the office of the City Clerk.

Following a lengthy discussion, Council, on motion of Councilman Pinkerton, Murphy second, set another Public Hearing regarding the Stockton Street Improvement Projects, Kettleman Lane to Lodi Avenue for Wednesday, 8:00 p.m., February 17, 1982.

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RECESS

During the afore referenced public hearing, Mayor McCarty declared a five minute recess at approximately 10:00 o'clock to allow the court reporter time to change tape on her equipment. Council reconvened at approximately 10:40 p.m.

Notice thereof having been published in accordance with law and affidavit of publication being on file in the office of the City Clerk, Mayor McCarty called for the Public Hearing to consider the City Planning Commission's recommended approval of action initiated on its own motion to rezone the 10 acre East Side Winery property at 1550 Victor Road (State Route 12) from U-H, Unclassified Holding, to M-2, Heavy Industrial.

The matter was introduced by Community Development Director Schroeder, who presented diagrams of the subject area.

There were no persons in the audience wishing to speak either in favor or in opposition to the matter and the Public Hearing was declared closed by Mayor McCarty.

ORD. REZONING 10  
ACRE EAST SIDE  
WINERY PROPERTY  
AT 1550 VICTOR  
ROAD (STATE  
ROUTE 12) FROM  
U-H, UNCLASSIFIED  
HOLDING TO M-2,  
HEAVY INDUSTRIAL  
INTRO.

Councilman Katnich then moved for introduction of Ordinance No. 1249, an Ordinance rezoning the 10 acre East Side Winery property at 1550 Victor Road (State Route 12) from U-H, Unclassified Holding, to M-2, Heavy Industrial. The motion carried by unanimous vote.

ORD. NO. 1249  
INTRO. cc-53(a)  
cc-149

PLANNING  
COMMISSION

Staff reported that there had been no meetings of the Planning Commission since the last report had been received by Council.

COMMUNICATIONS  
(CITY CLERK)

City Clerk Reimche presented an appeal received from Dr. George J. Williams in regard to the application for a Use Permit for off-street parking for 1001 York Street. On motion of Mayor Pro Tempore Murphy, McCarty second, the matter was set for hearing on January 20, 1982 at 8:00 p.m.

ABC LICENSE  
APPLICATIONS  
REC'D

City Clerk Reimche presented the following applications which had been received for ABC Licenses:

- a) The Happy Steak, Inc., 224 N. Ham Lane, On Sale Beer and Wine Eating Place.
- b) Arlene Gable, 360 Lodi Avenue, On Sale General Eating Place.
- c) Donald Soles, 211 Club, 211 S. Cherokee Lane, Lodi, On Sale General Public Premises.
- d) Beckman Development Corp., California Cellar Masters, 36 Cluff Avenue, Wine Growers.
- e) George J. Bandy, E & L Market, 844 S. Central, Off-Sale Beer and Wine.
- f) Katsuyo Masui, Hiroshimo, 20 N. Main Street, On Sale Beer.

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CHECK REC'D FROM  
OLD LODI HIGH  
SCHOOL SITE  
FOUNDATION

City Clerk Reimche presented a check in the amount of \$1,290.00 which had been received from the "Old Lodi Union High School Site Foundation. Mayor Pro Tempore Murphy colored in the appropriate number of blocks on the graph indicating total contributions received to date.

COMMENTS BY  
CITY COUNCILMEN

Councilman Pinkerton asked that Mayor McCarty appoint a Committee to promote industrial growth within this Community, suggesting that this Committee be formed to get industry into "our" community, to meet its needs, and to work in conjunction with the Lodi District Chamber of Commerce toward this end.

REPORTS OF CITY  
MANAGER

CONSENT CALENDAR

In accordance with report and recommendation of the City Manager, the following actions, hereby set forth between asterisks, on motion of Mayor Pro Tempore Murphy, Pinkerton second, were approved by Council.

\* \* \* \* \*

CLAIMS

CLAIMS WERE APPROVED IN THE AMOUNT OF \$984,039.92

MINUTES

THE MINUTES OF DECEMBER 9, 1981 AND DECEMBER 16, 1981 WERE APPROVED AS WRITTEN.

PLANS AND SPECS  
FOR "SACRAMENTO  
STREET INDUSTRIAL  
WASTE LIFT STATION  
PUMPS AND MOTORS"  
APPROVED

Council approved the plans and specifications for "Sacramento Street Industrial Waste Lift Station pumps and motors" and authorized the City Clerk to advertise for bids thereon.

In general, the work under this contract will consist of furnishing and delivering two (2) submersible non-clog sewage pumps.

Council was apprised that the following bid had been received for "Salas Park Concession Stand Fill":

<u>BIDDER</u>	<u>BID</u>
Marvin Smith Constr. Co.	\$5,950.00
Neilson Construction Co.	5,997.00
Claude C. Wood Co.	7,965.00
Mexica Construction Co.	7,975.00
Teichert Construction Co.	9,900.00
Ford Construction Co.	10,989.00

AWARD - "SALAS  
PARK CONCESSION  
AND STAND FILL"

City Manager Graves recommended that the award be made to the low bidder, Marvin Smith Construction Co.

Council adopted the following resolution regarding this matter:

RESOLUTION NO. 82-1

RES. NO. 82-1

RESOLUTION AWARDED THE CONTRACT FOR "SALAS PARK CONCESSION STAND FILL" TO MARVIN SMITH CONSTRUCTION COMPANY, THE LOW BIDDER, IN THE AMOUNT OF \$5,950.00.

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Council was apprised that the following bids had been received for the Instrument Maintenance Service at White Slough Water Pollution Control Facility.

<u>BIDDER</u>	<u>BID</u>
Diablo Control Co., Fairfield	\$9,600.00
Brantley Instrument Co., San Leandro	13,650.00

AWARD - INSTRUMENT It was the City Manager's recommendation that  
MAINTENANCE SERVICE Council award the contract to the low bidder.  
AGREEMENT

Council adopted the following resolution regarding the matter:

RES. NO. 82-2

RESOLUTION NO. 82-2

RESOLUTION AWARDING THE CONTRACT FOR THE INSTRUMENT MAINTENANCE SERVICE AT WHITE SLOUGH WATER POLLUTION CONTROL FACILITY TO DIABLO CONTROL COMPANY OF FAIRFIELD, THE LOW BIDDER, IN THE AMOUNT OF \$9,600.00.

RES. ADOPTED  
CALLING FOR  
CONTRACT WITH  
CHP FOR AVA  
PROGRAM

Council adopted Resolution No. 82-3 calling for a contract with the California Highway Patrol for abandoned vehicle abatement participation.

RES. NO. 82-3

\*\*\*\*\*

AGENDA ITEM  
CONTINUED

Following discussion, on motion of Mayor Pro Tempore Murphy, Katnich second, agenda item "g" - "Request for sidewalk installation on South Sunset Drive" was continued to the regular Council meeting of February 3, 1982.

ELECTRICAL RATE  
INCREASE

URGENCY ORDINANCE  
NO. 1250 ADOPTED

Council was apprised that Phase I of the current P.G. & E. wholesale base rate increase became effective January 1, 1982. Purchase power costs have increased an average of \$265,000 a month\* (26%), as a result. The Phase II increase is scheduled to become effective March 12, 1982, but its exact size is not known at this time.

The City is currently negotiating a power purchase contract with the Western Area Power Administration (WAPA) for lower cost energy from the Central Valley Project (CVP). It is anticipated that delivery of this energy will commence sometime during February, 1982. The amount of energy to be supplied at CVP rates will vary from month-to-month, but is estimated at 25% for the calendar year 1982.

Current City retail base rates were established in October 1980. At that time, Residential Rate (EA) was set at City cost for 0-500 kwh, and less than P.G. & E.'s winter/summer average retail charge, above 500 kwh.\*\* Commercial and industrial rates were set 5% below P.G. & E., at 'bench mark' levels of consumption, which are as follows:

Commercial/Small Industrial (EB)	1,550 kwh/mo.
Intermediate Industrial (S-I)	33,800 " "
Large Industrial (S-II)	2,300,000 " "

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PROPOSAL DETAILS: It is proposed that the City adjust its electric rates in two steps; Step 1 at this time and Step 2 when sufficient information is known about the P.G. & E. Phase II increase and the delivery conditions of CVP energy.

An interim set of retail electric rates (Step 1) has been developed, which would allocate the P.G. & E. Phase I increase appropriately among all customer classifications. Residential Rate (EA) would be set at City cost for 0-500 kwh and would be considerably less than P.G. & E's winter/summer average retail charge, above 550 kwh\*\*\* (see attached table and graph). Interim commercial and industrial rates would be set 10% below P.G. & E at 'bench mark' levels of consumption.\*\*\* Included in the Step 1 rates is a new Mobile Home Park Master-Meter Rate EM (adjusted to continue its previously established relationship to Residential Rate EA), a new Dusk-to-Dawn Lighting Schedule EL and Energy Purchase Schedule EP (both adjusted to reflect the increased cost of energy). Copies of all proposed rates were presented for Councils review.

It is anticipated that, when Step 2 retail rates are developed, a number of rate alternatives can be presented for Council's consideration.

- \* Based on P.G. & E being the sole supplier of energy to the City.
- \*\* Average monthly residential consumption.
- \*\*\* Comparison based on P.G. & E retail rates effective January 1, 1982.

Council discussion followed with questions being directed to Staff. Mayor Pro Tempore Murphy indicated his concern over escalating energy costs and that he would be registering a "no" on this matter in protest over recent PUC actions.

Councilman Hughes then moved for the adoption of Urgency Ordinance No. 1250 approving interim electric rates as proposed to become effective with utility bills prepared on or after January 7, 1982 (next billing cycle following implementation of P.G. & E wholesale rate increase, Phase I).

The motion was seconded by Councilman Katnich and carried by the following vote:

Ayes: Councilmen - Hughes, Katnich, Pinkerton and McCarty (Mayor)

Noes: Councilmen - Murphy

Absent: Councilmen - None

Council during the discussion on this matter asked the City Manager to provide a report on unbudgeted NCPA assessments to date.

AGENDA ITEM  
REMOVED FROM  
AGENDA

Agenda item "i" - "Use of City-owned buildings for private business uses" was removed from the agenda with the tacit concurrence of the Council.

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The certification of petitions as prepared by the engineer for the proposed Downtown Assessment District certifying that the petitions for improvements exceeds 60 percent was presented to Council by City Clerk Reimche.

The following persons who were in the audience addressed the Council concerning the proposed assessment district: A lengthy discussion followed with questions being directed to Staff.

- a) Mr. Bill Canepa, 131 S. Orange Street, Lodi
- b) Mr. John Ochsner, Senior Citizen's Club, 113 N. School Street, Lodi

CERTIFICATION OF  
PETITIONS  
PROPOSED DOWNTOWN  
ASSESSMENT  
DISTRICT

On motion of Councilman Hughes, Katnich second, Council received for filing certification of the petition for improvements for the Lodi Downtown improvement Assessment District, certifying that the petition for improvements exceeds 60 percent.

OLD LODI HIGH  
BUILDING  
DEMOLITION -  
STATE FIRE TRAIN-  
ING EXERCISE  
APPROVED

Following introduction of the matter by City Manager Graves, with Fire Chief Don MacLeod responding to questions as were posed, Council on motion of Councilman Katnich, Murphy second, approved the proceeding with the State Fire Training Exercise for the demolition of various buildings at the Old Lodi High School Site.

SALARY INCREASE  
GRANTED TO  
COMMUNITY RELATIONS  
ASSISTANT

Following a report on an earlier closed session, Council on motion of Councilman Pinkerton, Hughes second, set the monthly salary for Community Relations Assistant, Charlene Lange at \$1,575.00 per month as of January 14, 1982. Further, Mrs. Lange is also to receive the benefits under the Mid-Management Compensation Package with no selection of retirement.

ORDINANCE  
ESTABLISHING  
PERMIT PARKING  
IN CITY PARKING  
LOTS AND  
SETTING FORTH  
REGULATIONS  
THEREON

Ordinance No. 1247 - An Ordinance establishing permit parking in City parking lots and setting forth regulations thereon, having been introduced at a regular meeting of the City Council held December 18, 1981 was brought up for passage after reading by title. On motion of Mayor Pro Tempore Murphy, Pinkerton second, the Ordinance was then adopted and ordered to print by the following vote:

Ayes: Councilmen - Hughes, Katnich, Murphy, Pinkerton, and McCarty (Mayor)

Noes: Councilmen - None

Absent: Councilmen - None

ADJOURNMENT

There being no further business to come before the Council, Mayor McCarty adjourned the meeting at approximately 11:50 p.m.

Attest:

*Alice M. Reimche*  
ALICE M. REIMCHE  
CITY CLERK